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## BOOK REVIEWS.

THE GROWTH OF THE CONSTITUTION IN THE FEDERAL CONVENTION OF 1787. By William M. Meigs. J. B. Lippincott Company, Philadelphia, Pa., 1900.

This is a very useful book to any student of constitutional history. It traces the development of each clause in the Constitution of 1787. The same facts may be gotten from Elliot's Debates, but with much greater trouble. In most respects it is a fair statement of the history of each clause. But it is not always. An instance of this kind occurs in the famous provision limiting the time within which slaves might be imported, to 1808. The clause of the Constitution containing this provision was first limited to 1800. Virginia's voice was against the further importation of slaves altogether, but when the clauses under consideration went to the Committee on Style, their report was as follows:

"The migration or importation of such persons as the several states, now existing, shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person." (Pp. 166, 167.)

Madison spoke earnestly against the prolongation, but the motion to extend the time to 1808 prevailed by the votes of the three New England States, Maryland, and the three southernmost States, against New Jersey, Pennsylvania, Delaware and *Virginia*. So that New England is in fact on record, whether Mr. Meigs thinks proper to so state or not as voting against Virginia *for* the importation of slaves. This vote was doubtless in favor of her shipping interests rather than in accordance with her accustomed high moral ideas. While debating this question, one of Virginia's statesmen said:

"This infernal traffic originated in the avarice of British merchants; the British government constantly checked the attempts of Virginia to put a stop to it. The present question concerns not the importing states alone, but the whole union. Maryland and Virginia have already prohibited the importation of slaves expressly; North Carolina has done the same in substance. All this would be in vain if South Carolina and Georgia be at liberty to import them. The western people are already calling out for slaves for their new lands, and will fill that country with slaves if they can be got through South Carolina and Georgia. Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the emigration of whites, who really enrich and strengthen a country. They produce the most pernicious

effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of Heaven on a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects, Providence punishes national sins by national calamities. I lament that some of our eastern brethren have, from a lust of gain, embarked in this nefarious traffic. As to the states being in possession of the right to import, this is the case with many other rights, now to be properly given up. I hold it essential in every point of view, that the general government should have power to prevent the increase of slavery."

If George Mason had no other title to fame, this one speech would have placed his name forever in the Pantheon of history. See Vol. 2, Bancroft's *History of the Const.*, pp. 153, 154, 158. But the work as a whole is exceedingly valuable. That its writer should be imbued with ideas which induce him to misrepresent by omission, is not creditable to either his head or his heart. Virginia, the pivotal State in the Union at that time, was not only in the forefront of the galaxy of American commonwealths in matters of humanity, but of the whole civilized world, and the fact cannot be slurred over by any writer.

In treating of the subject of the basis of representation the writer again falls into a grave error of omission on the eternal negro question. Virginia with a splendid nobility, without example in the annals of history, offered to found representation on "*the free inhabitants*" alone. This important fact escapes his notice.—2 vol. *Bancroft's Hist. of the Const.*, p. 13. The option of "free inhabitants" basis, or the quotas of contribution to the treasury (*1st Tucker on Const.*, p. 332), was a part of Randolph's Plan.

The resolution introduced by Mr. Randolph, May 29, constituting what is known as the Virginia Plan, provides that "the rights of suffrage in the National legislature ought to be proportioned to the quotas of contribution, or to the number of *free inhabitants*." P. 325.

The draft of the constitution entitled the "Randolph Draft," p. 316, is of great interest. The book is beautifully printed, but not as fair as the work of the great author George Bancroft, and consequently not as valuable.

S. S. P. PATTESON.

*Richmond, Virginia, December 14, 1899.*